

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**HILDA SOLIS**, Secretary of Labor,  
United States Department of Labor,

Plaintiff,

**v.**

**ALL STAR COMMERCIAL SERVICES, LLC**

**Defendant.**

Civil Action No. 2:10-CV-442

JUDGE MARBLEY

MAGISTRATE JUDGE KING

## JUDGMENT

Plaintiff, has filed her complaint and Defendant has agreed to the entry of this Judgment in accordance with the Stipulation between the parties filed herein. It is therefore, upon motion of the attorney for Plaintiff, and for cause shown:

**ORDERED, ADJUDGED, AND DECREED** that Defendant, its agents, servants, employees, and all persons in active concert with it, are permanently enjoined and restrained from the violating the provisions §15(a)(2) and §15(a)(5) of the Fair Labor Standards Act of 1938, hereinafter referred to as the Act, in any of the following manners:

(1) Defendant shall not, contrary to section 7 of the Act, employ and/or engage contracted labor, any employees and/or contracted labor engaged in commerce or in the production of goods for commerce, or employed and/or engaged contractor in an enterprise engaged in commerce or in the production of goods for commerce, as defined by the Act, for workweeks longer than forty (40) hours, unless the employee and/or

contractor receives compensation for his employment in excess of forty (40) hours per week at a rate not less than one and one-half times the regular rates at which he is employed.

(2) Defendant shall not fail to make, keep and preserve records of any employees, and of the wages, hours and other conditions and practices of employment maintained by them, as prescribed by the regulations of the Administrator or the Secretary of Labor issued, and from time to time amended, pursuant to Section 11(c) of the Act, and found in Title 29, Chapter V, Code of Federal Regulations, Part 516.

It is **FURTHER ORDERED** that the Plaintiff recover from Defendant the total sum of \$2,959.30, for which execution may issue, to be distributed to the individuals listed in the Exhibit "A" attached hereto in the amounts set forth following each individual's name. Payment shall be due by December 31, 2011.

Defendant shall make payment to the Plaintiff for disbursement as prescribed by law.

Any money not so distributed by the Plaintiff within a reasonable time because of Plaintiff's failure to locate the proper individual or because of such individual's refusal to accept such money shall be covered into the Treasury of the United States as miscellaneous receipts. The failure of the Defendant to make any payment within ten (10) days of the due date as provided herein shall result in the balance then owing being due immediately from the Defendant.

It is further **ORDERED, ADJUDGED AND DECREED** that the Exhibit "A" attachment to this judgment be, and hereby is incorporated in and made a part of this Judgment.

Defendant shall not request, solicit, suggest, or coerce, directly or indirectly, any employee to return to offer to return to the Defendant or to someone else for the Defendant any money in the form of cash, check, or any other form, for wages previously due or to become due in the future to said employee under the provisions of this judgment or the Act; nor shall Defendant discharge or in any other manner discriminate, nor solicit or encourage anyone else to discriminate, against any such employee because such employee has received or retained money due to him from the Defendant under the provisions of this judgment.

It is further **ORDERED ADJUDGED AND DECREED** that no costs or disbursement are allowed.

Dated this 15 day of December, 2011.



U.S. DISTRICT COURT JUDGE

s/Kinsley F. Nyce  
KINSLEY F. NYCE (3547)  
Attorney for Respondent  
1601 W. Fifth Ave. #112  
Columbus, Ohio 43212  
(614) 562-2254  
(614) 448-9429 Fax  
E-mail: [TheNyceCompany@aol.com](mailto:TheNyceCompany@aol.com)

s/Paul Spanos  
PAUL SPANOS (0069269)  
Trial Attorney  
U.S. Department of Labor  
881 Federal Office Building  
1240 East Ninth Street  
Cleveland, Ohio 44199  
(216) 522-3875; 522-7172 Fax  
[spanos.paul@dol.gov](mailto:spanos.paul@dol.gov)

OF COUNSEL:  
BENJAMIN T. CHINNI  
Associate Regional Solicitor